

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

RUSTY B. BRIDGES, INDIVIDUALLY
AND ON BEHALF OF ALL WRONGFUL
DEATH BENEFICIARIES AND ON BEHALF
OF THE ESTATE OF MARY CLAUDINE
BRIDGES, DECEASED

PLAINTIFF

VS.

CIVIL ACTION NO. 3:05cv786WHB-AGN

ENTERPRISE PRODUCTS COMPANY, INC.
d/b/a ENTERPRISE TRANSPORTATION COMPANY,
RAYMOND TOULMON AND JOHN DOES 1-5

DEFENDANTS

**RESPONSE OF DEFENDANTS TO PLAINTIFF'S AMENDED
MOTION TO AMEND COMPLAINT TO ADD PARTY PLAINTIFF**

COME NOW defendants, by counsel, and, noting first that plaintiff has now, by the instant amendment, voluntarily abandoned the original motion on this subject, and in view of the plaintiff now having solemnly pleaded that Ms. Pennock is merely a party who might be joined *permissively, i.e., not an indispensable party under Fed. R. Civ. P. 11*, and plaintiff having affirmatively pleaded further that the joinder of Ms. Pennock as moved is *"not an attempt to attack or alter the [sic] this Court's subject matter jurisdiction."* [Paragraph Seven of the amended motion] (emphasis added), now these defendants, in reliance thereupon, assert no opposition to the joinder of Ms. Pennock.

Respectfully submitted,

EPCO, INC. and RAYMOND TOULMON

BY:


/s/ JACKSON H. ABLES, III
OF COUNSEL

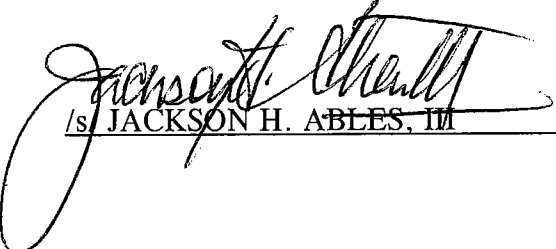
JACKSON H. ABLES, III – BAR # 1027
DANIEL COKER HORTON & BELL, P.A.
4400 OLD CANTON ROAD, SUITE 400
POST OFFICE BOX 1084
JACKSON, MISSISSIPPI 39215-1084
TELEPHONE: (601) 969-7607
FACSIMILE: (601) 969-1116

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2006, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

J. Ashley Ogden, Esq. and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participant:

Roscoe A. Feild, Esq.
The First Lee House
239 Adams
Memphis, Tennessee 38103


/s/ JACKSON H. ABLES, III